

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Hycroft Mine Facilities Expansion Project Environmental Assessment DOI-BLM-NV-W030-2013-0003-EA**

Based on the Environmental Assessment (EA) DOI-BLM-NV-W030-2013-0003-EA, dated September 2014, I have determined that the Proposed Action, including the applicant-committed environmental measures, along with implementation of all mitigation and monitoring measures recommended in the analysis (refer to EA Chapter 5), will not have any new level of significant effect on the human environment beyond that disclosed in the Hycroft Mine Expansion EIS July 2012; therefore, an Environmental Impact Statement (EIS) will not be required for this proposal.

I have determined that the Proposed Action is in conformance with the approved Paradise-Denio and Sonoma-Gerlach Management Framework Plans (1982) and is consistent with other Federal agency, state, and local plans to the maximum extent consistent with Federal law and Federal Land Policy Management Act provisions. This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), with regard to both context and intensity factors.

#### **Context**

The project area is located in Humboldt and Pershing Counties, Nevada, 55 miles south of Winnemucca. The Project is a mine facilities expansion that includes minor expansion of or modifications to existing or authorized mine facilities, the addition and operation of new mine facilities (rail spur, mill, and tailings storage facility), the construction of a well field to supply the mine with production water, and a 120 kV powerline upgrade to support mine operations.

#### **Intensity**

##### ***1) Impacts that may be both beneficial and adverse.***

Potentially beneficial impacts surround Social and Economic Values (Jobs and general revenue) and Transportation, Access and Public Safety (An estimated reduction of 18% daily traffic is expected as a result of the railspur development.). Potentially adverse effects were disclosed in the cultural resources (including Historic Trails) and special status sensitive species analysis for the well field and 120 kV powerline components of the proposed action and in air quality for the plan modification component.

These potentially adverse effects involve impacts to historic Jungo Road associated with the well field development and impacts to eleven National Register eligible sites including an additional segment of historic Jungo Road and five segments of the historic California Trail associated with the 120 kV powerline. Potentially adverse effects involve the sensitive species sand cholla and western burrowing owl associated with well field development and the Tonopah milkvetch, Crosby's buckwheat, Nevada oryctes, Lahontan beardtongue, sand cholla, and western burrowing owl sensitive species associated with the 120 kV powerline. These potentially adverse impacts will be minimized to less than significant through the implementation of

applicant-committed environmental protection measures and BLM-recommended mitigation developed in the EA. Development of a species specific seed mix for revegetation activities within greater sage-grouse nesting or winter habitat of the Mine Project Area was also made to reduce potential impacts.

The following criteria air pollutants were modelled for the environmental analysis: NO<sub>2</sub>, SO<sub>2</sub>, CO, PM<sub>10</sub>, PM<sub>2.5</sub>. Emission estimates were made for greenhouse gas emissions, principally CO<sub>2</sub>, and hazardous air pollutants such as mercury. Through the thorough analysis presented in the EA, no levels of exceedance were disclosed that would necessitate the development of mitigation beyond those measures agreed to by the applicant.

**2) *The degree to which the proposed action affects public health or safety.***

Mining related activities are not expected to cause adverse public health effects. The proposed operations and proposed action includes a Spill Contingency and Emergency Response Plan, a Fugitive Dust Control Plan and Dark-Sky Measures. Safety requirements would be required by Mine Safety and Health Administration and the Nevada Industrial Relations Division of Mine Safety. No long-term adverse public health or safety affects are expected from use of the reclaimed area.

**3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.***

The project would not affect park lands, prime farmland, wetlands, wild and scenic rivers or ecologically critical areas.

Potentially adverse effects involve impacts to historic Jungo Road associated with the well field development and impacts to eleven National Register eligible sites including an additional segment of historic Jungo Road and five segments of the historic California Trail associated with the 120 kV powerline. These potentially adverse impacts will be minimized to less than significant through the implementation of recommended mitigation developed in the EA.

**4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.***

Mining activities are not new to Nevada or Humboldt and Pershing Counties. Such activities are prone to generating public comment through scoping and the public comment period on the preliminary EA. Issues and concerns brought forward through scoping were taken into consideration for analysis in preparing the preliminary EA. No concerns of controversial nature were raised based upon public review of the preliminary EA.

Consideration of this intensity factor is based on the following: As a factor for determining within the meaning of 40 CFR 1508.27(b)(4) whether or not to prepare a detailed EIS, “controversy” is not equated with “the existence of opposition to a use.” *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9<sup>th</sup> Cir. 1997). “The term ‘highly controversial’ refers to instances in which ‘a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of

opposition to a use.”” *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).

**5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.***

The mining related techniques involved are all common methods employed in the mining industry and are not expected to produce uncertain or unique risks. Although not highly uncertain or involving unique or unknown risks, recommended mitigation was developed in the EA concerning cultural resources and special status species.

**6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.***

Approval of the proposed action would not set any known precedents or establish any principles for future decisions. The proposed mining activities have been commonly applied for several decades in various phases of mining.

**7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.***

Based on the environmental assessment and implementation of the recommended mitigation measures, no significant cumulative impacts are expected. When evaluated together with other past, present or reasonable foreseeable activities in the area, the authorized activity does not result in cumulatively significant impacts beyond those disclosed in the Hycroft Mine Expansion EIS, July 2012.

**8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.***

Potentially adverse effects involve impacts to historic Jungo Road associated with the well field development and impacts to eleven National Register eligible sites including an additional segment of historic Jungo Road and five segments of the historic California Trail associated with the 120 kV powerline. These potentially adverse impacts will be minimized to less than significant through the implementation of recommended mitigation developed in the EA.

**9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.***

Informal consultation was conducted with the United States Fish and Wildlife Service (USFWS) and no threatened or endangered species listed under the Endangered Species Act (ESA) were identified within the Project Area or vicinity. It is recognized in the EA that all components of the Proposed Action have the potential to affect sensitive plant and animal special status species and therefore applicant proposed environmental measures and BLM recommended mitigation were developed in the EA to reduce this potential.

Potentially adverse effects involve the sensitive species sand cholla and western burrowing owl associated with well field development and the Tonopah milkvetch, Crosby's buckwheat, Nevada oryctes, Lahontan beardtongue, sand cholla, and western burrowing owl sensitive species associated with the 120 kV powerline. These potentially adverse impacts will be reduced below any level of significance through the implementation of applicant proposed environmental measures and recommended mitigation developed in the EA.

***10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.***

The proposed action does not violate or threaten any known Federal, State, or local law or requirement imposed for the protection of the environment.

/s/ William Mack Jr.  
William Mack, Jr.  
Field Manager  
Winnemucca District  
Black Rock Field Office

01/02/15  
Date